

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3 AT TACOMA

4 JOHN RAY WOODS, JR.,

5 Petitioner,

6 v.

7 JEFFREY UTTECHT,

8 Respondent.

CASE NO. C18-5367 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

9 This matter comes before the Court on the Report and Recommendation ("R&R")
10 of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 6. The Court
11 having considered the R&R and the remaining record, and no objections having been
12 filed, does hereby find and order as follows:

13 (1) The R&R is **ADOPTED**;

14 (2) Petitioner's federal habeas corpus petition is **DISMISSED without**
15 **prejudice**; petitioner may re-file his petition after he has exhausted his state court
16 remedies;

17 (3) A certificate of appealability is **DENIED**; and

18 (4) This case is closed.

19 Dated this 3rd day of July, 2018.

20 

21 BENJAMIN H. SETTLE
22 United States District Judge